



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107-4431

100115
ORIGINAL
(Red)

MAR 25 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stauffer Management Company
c/o ICI Americas Inc.
New Murphy Road & Concord Pike
Wilmington, DE 19897
Attn: J. Kemerer, President

**RE: Standard Chlorine Superfund Site
Delaware City, Delaware**

Dear Mr. Kemerer:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the Standard Chlorine Superfund Site, Governor Lea Road, Delaware City, Delaware (the "Site"). Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e), your company is required to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), pollutants and/or contaminants as defined by Section 101(33) of CERCLA, 42 U.S.C. § 9601(33), which were transported to, stored, treated, or disposed of at the above referenced Site or surrounding area (see attached location map).

Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes EPA to pursue penalties for failure to comply with this section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject your company to criminal penalties under 18 U.S.C. § 1001. The information your company provides may be used by EPA in administrative, civil, or criminal proceedings.

As used herein, the term "documents" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs,

AR200288

books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

Instructions for responding to the inquiries are as follows:

- a) A separate narrative response must be made for each question set forth, and for each subpart of each question.
- b) Precede each answer with the corresponding number of the question and subpart to which it responds.
- c) Provide the name, address, telephone number, and job title of each person assisting you in the preparation of your responses.

QUESTIONS

1. During the course of its investigation with respect to the Site, EPA identified previous landowners of the Site. Information received from New Castle County, Delaware, Department of Deed, indicates that Stauffer Chemical Company owned the Site prior to 1960. Provide the following information regarding such ownership of the Site:

a) describe the operations that took place at the Site during the time Stauffer Chemical Company owned it and provide the dates of such ownership and operation;

b) identify all substances that were used at the Site during the operations described above;

c) identify all wastes and/or by-products of such substances;

d) describe how each such substance, waste, and/or by-product was treated, stored, and disposed of; and

e) identify the transporter of each such substance, waste, and/or by-product, and provide the name and location of the ultimate disposal location of each such substance, waste, and/or by-product.

2. Describe the corporate and/or business relationship between Stauffer Chemical Company, Stauffer Management Company, ICI Americas Inc., and ICI American Holdings, Inc. Further provide:

a) copies of all documents evidencing the relationships identified above (i.e., purchase agreements, articles of mergers, stock purchase agreements, etc.);

b) the identity of all corporate officers and shareholders of the entities referenced above; and

c) the date and original state of incorporation of each of the entities referenced above.

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information in the manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

EPA may contract with one or more of the following independent contracting firms to review the documentation, including documents which you claim are confidential business information ("CBI") which you submit in response to this information request, depending on available agency resources. The contractor will be filing, organizing, analyzing and/or summarizing the information for agency personnel. EPA's contractors are: CDM-Federal Programs Corporation, Dynamac Corporation, CH2MHill, Black & Veatch Waste Science and Technology Corporation, TetraTech, Inc., Ecology & Environment, Inc., Halliburton NUS Corporation (f/k/a Halliburton NUS Environmental Corporation), Environmental Technology, Inc., and Roy F. Weston, Inc. operating under contract numbers 68-W9-0004, 68-W9-0005, 68-W8-0090, 68-W8-0091, 68-W8-0092, 68-W8-0085, 68-W8-0037, 68-S2-3002, and 68-W0-0036, respectively. These contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. Section 104 of the Superfund law, and EPA's regulations at 40 C.F.R. § 2.310 provide that EPA may share such CBI with contractors. If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of these entities, you must notify EPA at the time you submit such documents.

All documents and information should be sent to:
Joan Armstrong (3HW11)
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

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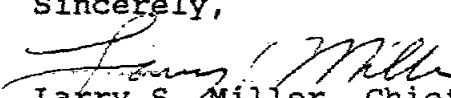
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You must respond in writing to this required submission of information within **twenty (20) calendar days** of your receipt of this letter. For a corporation, the response must be signed by an appropriately authorized corporate official. For other entities, the response must be signed by an authorized official of that entity. If, for any reason, you do not provide all information responsive to this letter, in your answer to EPA you must: (1) describe specifically what was not provided, (2) supply to EPA a clear identification of the document(s) not provided, and (3) provide to EPA an appropriate reason why the document(s) was not provided.

If you have any questions concerning this information request please contact Joan Armstrong at (215) 597-0531. Legal questions should be referred to Sarah Keating, Esquire, of the Office of Regional Counsel at (215) 597-1715. Technical questions should be referred to Kate Lose at (215) 597-0910.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

Sincerely,


Larry S. Miller, Chief
PRP Search Section

Enclosures

cc: S. Keating, 3RC33
K. Lose, 3HW42
J. Armstrong, 3HW11
D. Toth, 3HW61
P. Retallick, DNREC

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UNITED STATES POSTAL SERVICE

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Print your name, address and ZIP Code here

JOAN ARMSTRONG
EPA REGION III
PRP SEARCH SECTION (3HW11)
841 CHESTNUT BUILDING
PHILADELPHIA, PA 19107

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the envelope or on the back if space does not permit.
- Write "Return Receipt Requested" on the front of the envelope to request a return receipt.
- The Return Receipt Form must be attached to the envelope to receive a return receipt.

3. Article Address

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

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AR200294

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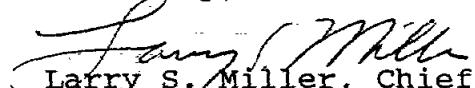
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Larry S. Miller, Chief
PRP Search Section

Enclosures

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K. Lose, 3HW42
J. Armstrong, 3HW11
D. Toth, 3HW61
P. Retallick, DNREC

AR200297